IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23401 of 2004

Between:

M/s.S.S.R.Junior College&High School rep by its Correspondent
V.Thirupathi Adarshnagar, Nirmal, Adilabad Dist.

..... PETITIONER

AND

1.. The Asst Provident Fund Commissioner&Authority under Section
7-A of the Employees Provident funds & Miscellaneous Provisions

Act, 1952, Sub-Regiona Office, Balasamudram, Hanamkonda,

Warangal Dist.
2.. The Recovery Officer, Employees Provident Fund Organisation

Sub-Regional Office
Balasamudram, Hanamkonda, Warangal,

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus, declaring the order dt 29-11-2004 in No.AP/SRO/WGL/31294/Enf/REC/ADB/2004/918 and the order dt 29-7-2003 in No.AP/SRO/WL/ENF/KHM/31294/7A ORDER/2003/2528 issued by the 1st respondent herein, assessing the liability of the petitioner for payment of provident fund contribution as illegal and arbitrary

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondent No.: MR.R.N.REDDY

The Court at the stage of admission made the following :

ORDER:

The impugned order passed by the first respondent dated 29-7-2004 under section 7 –A of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (for short the Act) and the Prohibitory order dated 29-11-2004 are challenged in the present writ petition.

Heard learned counsel for petitioner and the learned counsel for the respondents and both of them have consented to the disposal of the writ petition at the stage of admission itself.

Learned counsel for petitioner submitted that petitioner is ready to pay the demanded amount of Rs.3,75,986/- in 12 monthly instalments, which would start from 5-1-2005. The learned Standing Counsel for the respondents expressed no objection for payment of the amounts in instalments.

In view of the same, petitioner is hereby directed to pay the demanded amount of Rs.3,75,986/- in 12 equal monthly instalments starting from 05-1-2005 and if the petitioner fails to pay the instalments, the respondents are at liberty to proceed further in the matter.

With the above direction, the writ petition is disposed of at the admission stage.

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N.V.RAMANA,J

16-12-2004

TVK

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

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